PROTOCOLS *for* FOSTER

BRITISH COLUMBIA

Ministry of Children and Family Development

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Protocols
for
Foster Homes

1999

Ministry for Children and Families

We are pleased to present these new protocols for dealing with issues and concerns about foster homes. The protocols have been developed in partnership by the British Columbia Federation of Foster Parent Associations and the Ministry for Children and Families.

Our goal in revising the previous protocols is to provide clearer direction on the actions, responsibilities and rights of everyone involved in investigations, quality of care reviews, and issue resolution. We hope that the new protocols will make it easier for both ministry staff and foster parents to deal with difficulties that arise in foster homes in a way that strengthens foster care placements wherever possible.

We thank the Protocol Review Committee and the many foster parents and social workers who contributed their suggestions on earlier drafts of these protocols, and we welcome your suggestions for improvements to future versions of these protocols.

Ross Dawson
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Ministry for Children and Families

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President
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Parent Associations

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Introduction

The primary objective of the Ministry for Children and Families and the British Columbia Federation of Foster Parent Associations (BCFFPA) is to carry out the public's trust that those with responsibility for children in care will act in the child's best interest, for the child's benefit, and with the child's safety and well-being as paramount considerations.

To further this objective, the ministry and the BCFFPA have agreed to use the protocols in this document whenever an issue or concern arises about a foster home. The protocols establish a joint understanding of the processes, procedures, and roles and responsibilities of ministry staff and foster parents that apply in three types of situations that may arise in foster care:

Investigation: When the ministry receives a report that a child in a foster home has been or is likely to be abused or neglected	*Protocol for Investigating Reports of Abuse or Neglect in Foster Homes*
Quality of Care Review: When there is a concern about the quality of care a child is receiving in a foster home that does not otherwise involve abuse or neglect	*Protocol for Reviewing Quality of Care Concerns in Foster Homes*
Issue Resolution: When a service issue between ministry staff and foster parents requires formal resolution	*Protocol for Resolving Issues Between Ministry Staff and Foster Parents*

Guiding Principles

- The safety and well-being of the child is the paramount consideration at all times.
- If, during the review of a quality of care concern or resolution of a service issue there is any concern that a child has been or is likely to be abused or neglected, the ministry must assess the concern and, where necessary, investigate.
- It is recognized that the Director's delegate has final decision-making authority with regard to the placement of children.
- Foster parents are entitled to support and guidance when issues or concerns arise about their foster home.
- The working relationship between foster parents and delegated staff is characterized by mutual respect, trust, honesty, and fairness.
- A spirit of collaboration and teamwork, and a commitment to problem solving are recognized as essential conditions for resolving differences.
- Information may be shared among delegated staff, and with police or community resources when it is necessary to ensure the safety or well-being of a child.
- There is a commitment to clear communication by all parties, while recognizing that delegated staff may be constrained by legislation from full disclosure of information about an investigation.
- All actions under these protocols are carried out in an objective and timely manner.
- Where resources are available, translation services should be obtained to assist participants who have difficulty understanding spoken or written English.
- All actions under these protocols are to be carried out in a manner which is sensitive and respectful of the aboriginal culture and heritage for those persons directly affected by these protocols.

Approach and Rationale

The protocols for foster homes fit within the new approach to foster care set out in the following documents: *Standards For Foster Homes, Practice Standards for Guardianship,* and *Practice Standards for Child Protection.*

In common with these other documents, *Protocols for Foster Homes* is meant to clearly define the expectations of both foster homes and delegated staff in ensuring a quality foster care system. They recognize that the success of foster care relies on a strong, cooperative partnership between foster parents and delegated staff, which in turn relies on clearly defined roles, timelines, procedures, and responsibilities. They also recognize that children in foster home care benefit most where foster parents and delegated staff work with each other, regarding all aspects of a child's care, in a spirit of mutual respect.

Each of the three protocols follows its own set of stages. However, all three are based on a common model:

- Delegated staff assess the issue or concern to determine whether and what further action is needed.
- Actions described in these protocols may not occur or may be delayed if they jeopardize a criminal or child protection investigation.
- Delegated staff meet with the foster parents in person to exchange relevant information and to discuss the issue or concern.
- Delegated staff gather any information required about the issue or concern and reach a decision, consulting with or interviewing the foster parents as appropriate.
- The foster parents are advised in person of decisions or plans directly affecting them or children placed with them.
- The foster parents can ask for a review of decisions or plans affecting their foster home or a child placed with them.
- Following each protocol investigation or quality of care review, delegated staff, relevant management staff, and the BCFFPA examine the general findings (identifying information about the child and foster parents to be deleted) and make recommendations to prevent similar problems from arising with other foster parents.
- The ministry collects information about the use of each of the three protocols and, with the BCFFPA, develops an annual analysis, report, and action plan to prevent similar problems with the care of children in foster homes province-wide.

This more responsive and systematic approach to dealing with problems in foster care is intended to prevent the situations in which concerns and issues arise and, in doing so, to reduce the number of times these protocols need to be initiated.

I. Protocol for Investigating Reports of Abuse or Neglect in Foster Homes

Foster parents and the Ministry for Children and Families share responsibility for meeting the public's expectations about the quality of care children receive in foster homes. The commitment of foster parents to these expectations is set out in the Code of Ethics of the British Columbia Federation of Foster Parent Associations (BCFFPA). For ministry staff, these expectations are mandated by law under the *Child, Family and Community Service Act.*

Primary among these expectations is the safety and well-being of children in care. Consequently, whenever a report is received concerning the abuse or neglect of a child in care, the Director has a duty to assess the information and determine if an investigation is required.

An investigation MUST occur whenever a protection manager determines that a child in care has been, or is likely to be, abused or neglected in a foster home, as defined in Section 13 of the *Child, Family and Community Service Act* (substituting the word *caregiver* for *parent* where appropriate).

When a child needs protection: Section 13 of the Child Family and Community Service Act

- if the child has been, or is likely to be, physically harmed by the child's parent
- if the child has been, or is likely to be, sexually abused or exploited by the child's parent
- if the child has been, or is likely to be, physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child
- if the child has been, or is likely to be, physically harmed because of neglect by the child's parent
- if the child is emotionally harmed by the parent's conduct
- if the child's development is likely to be seriously impaired by a treatable condition and the parent refuses to provide or consent to treatment
- if the child is deprived of necessary health care
- if the child's parent is unable or unwilling to care for the child and has not made adequate provision for the child's care
- if the child is or has been absent from home in circumstances that endanger the child's safety or well-being
- if the child's parent is dead and adequate provision has not been made for the child's care
- if the child has been abandoned and adequate provision has not been made for the child's care
- if the child is in the care of a director or another person by agreement and the child's parent is unwilling or unable to resume care when the agreement is no longer in force.

Note that at any time, foster parents or a specialized residential resource contractor may request a review by the Ombudsman of any matter dealt with under this protocol.

Application of the protocol

This protocol applies whenever delegated staff receive a report that a child has been or is likely to be abused or neglected in a foster home. The protocol pertains to foster homes approved by a director designated under Section 91 of the Act where the caregiver resides in the care setting and has no more than one full-time equivalent employee. These foster homes include all sub-contracted foster homes, and those parent-model group homes and parent-model specialized residential resources that meet these criteria.

If an investigation follows a report about an individual child, the investigating social worker will follow the normal child protection investigative process for other children in the foster home who appear to be at risk.

The investigation of a report of abuse or neglect of a child in care follows the procedure set out in the ministry's *Practice Standards for Child Protection*. In accordance with that procedure, a child is not moved from a foster home until an immediate safety assessment is done and less disruptive measures have been considered by the investigating child protection social worker.

Major roles and responsibilities

The roles and responsibilities of ministry staff and representatives of the BCFFPA are described in detail on pages 8-16. The following is an overview of the major roles and responsibilities in a protocol investigation.

Protection manager

The protection manager is in charge of the investigation. The main responsibilities of the protection manager are to:

- receive and assess the report and decide if this protocol applies
- coordinate the investigation
- determine any action needed to ensure the safety and well-being of any children in the home
- determine if the child can remain in or be returned to the home
- inform the foster parents in writing of the commencement of an investigation, the results of the investigation, and decisions affecting the foster parents
- in the case of foster parents who are in a legal relationship with a specialized residential contractor, also inform the contractor in writing of the commencement of an investigation, the results of the investigation, and decisions affecting the foster parents or the contractor

Investigating child protection social worker

The investigating child protection social worker is responsible for all aspects of the investigation, from commencement to conclusion. The main responsibilities of the investigating child protection social worker are to:

- consult and share information with his or her supervisor, the protection manager, the resource social worker, and the child's social worker

- plan and carry out the investigation according to the *Practice Standards for Child Protection*, including Risk Decision 5 and Risk Decision 6, if applicable
- complete an immediate safety assessment for each child in the foster home
- notify all relevant delegated staff of the investigation
- prepare both reports of the investigation, including findings, for the protection manager
- meet with the foster parents at the commencement, during, and at the conclusion of the investigation
- in the case of a foster home in a legal relationship with a contracted specialized residential resource, also meet with the contractor at the commencement, during, and at the conclusion of the investigation
- where necessary, complete a comprehensive risk assessment

Manager responsible for the resource

The manager responsible for the resource is consulted by the protection manager about the investigation findings. The main responsibilities of the manager responsible for the resource are to:

- coordinate any alternative interim placements and ensure no further placements are made in the foster home pending the results of the investigation
- at the end of the investigation, in verbal consultation with the foster parents, the resource social worker, the protection manager, and relevant other parties, review the protection investigation report, Risk Decision 5 and Risk Decision 6, if applicable, and the foster family file, and consider what additional supports, services, training or other resources are needed, in order to decide upon the continued use, or closure, of the home
- inform the protection manager of the decision regarding the home for inclusion in the protection manager's letter to the foster parents

Resource social worker

The resource social worker remains the foster parents' social worker throughout the investigative process and assists the foster family by providing information and offering support. The main responsibilities of the resource social worker are to:

- ensure that the foster parents understand the role of the BCFFPA and how to contact the association, and are aware of local and other professional supports available to them
- offer to contact a BCFFPA support worker and/or other support person, with the foster parents' consent, with the consent to be confirmed in writing by the foster parents on the same day
- contact and inform the support person(s) requested by the foster parents when an investigation has begun, and arrange for the support person(s) to understand and sign an oath of confidentiality prepared by the Director prior to the support person's involvement in the protocol process
- meet with the foster parents at the commencement of an investigation
- provide the investigating child protection social worker with relevant information about the foster home
- provide ongoing support throughout the investigation
- at the conclusion of the investigation, meet with and fully discuss the outcome of the investigation with the foster parents; support persons may be included, as requested by the foster parents, as long as they have signed an oath of confidentiality prepared by the Director

Manager responsible for the child

At the conclusion of the investigation, the manager responsible for the child reviews the protocol investigation summary, the child's comprehensive plan of care and any other relevant information. (The decision about the child's safety is made by the protection manager.)

If the protection manager decides the child is to remain in the home, the manager responsible for the child considers what additional supports, services, training, or other resources are needed, taking into consideration the child's need for permanent stability, the child's best interests, and the child's rights (under Section 70 of the Child, Family and Community Service Act).

Child's social worker

The child's social worker maintains contact with the child throughout the investigation. The main responsibilities of the child's social worker are to:

- support the child throughout the investigation, and prepare and assist the child in the case of a placement change or any other changes in the child's comprehensive plan of care
- subject to consultation with the child in care who is over the age of 12 years (and whose consent is obtained as appropriate), and if the child's parent or designated representative of the child's aboriginal community is currently involved with the child, keep the child's parent and designated representative of the child's aboriginal community informed about the investigation results and involved in any changes in plans for, or placement of, the child
- provide the investigating child protection social worker with relevant information about the child's history
- involve the child and ensure the child's views are taken into consideration in any contemplated planning or placement changes and communicate related decisions to the child and, as applicable, the child's parent, relevant delegated staff and others involved with the child
- meet with the child at the conclusion of the investigation to explain and discuss any issues, decisions, or changes, including any of the child's concerns

Supervisor(s)/Team leader(s)

The main responsibility of the supervisor(s)/team leader(s) is to:

- provide day-to-day consultation and direction to involved social workers

BCFFPA support worker (and/or other support person)

The BCFFPA support worker becomes involved if requested by the foster parents. The main responsibilities of the BCFFPA support worker are to:

- offer support and assistance to the foster parents throughout the investigation
- maintain confidentiality regarding information about the foster parents, foster parents' family and/or children in care
- notify the BCFFPA Executive Director if a review is proceeding to the Office of the Director of Child Protection

The main responsibilities of other support person(s) (if their involvement is requested by the foster parents) are to:

- offer support and assistance to the foster parents throughout the investigation
- maintain confidentiality regarding information about the foster parents, foster parents' family and/or children in care

BCFFPA Provincial Executive Director

The BCFFPA provincial Executive Director provides consultation and direction to the BCFFPA support worker on a case-by-case basis as required. If the BCFFPA's involvement has been requested, the Executive Director is involved where a review proceeds to the Office of the Director of Child Protection.

Specialized Residential Resource Contractor

The role of the contractor is to facilitate the investigation. The main responsibilities of the contractor are to:

- assist the foster parents to understand the need for their cooperation in the investigation
- provide the foster parents with information about the support available from the BCFFPA, including how to contact a BCFFPA support worker
- assist in providing any extra supports or services to the foster parent
- assist in moving a child to an alternative placement to ensure the child's safety and well-being
- in consultation with the manager responsible for the resource and the foster parents, review the results of the investigation in order to rectify any identified concerns

Note: The specialized residential resource contractor DOES NOT participate in the investigation process or interviews, but may be interviewed separately

Stage 1: Assessment of the report

Any report that a child in care has been or is likely to be abused or neglected while placed in the care of a foster parent is referred to the regional child protection manager for assessment to determine whether this protocol applies. Concerns about the quality of care a child is receiving, that do not otherwise concern abuse or neglect of the child, do not require assessment by the protection manager. (See Protocol for Reviewing Quality of Care Concerns in Foster Homes, page 17.)

Where resources are available, translation should be obtained to assist participants who have difficulty understanding spoken or written English.

Protection manager (in consultation with the manager responsible for the resource and the manager for the child, as appropriate)

- Within 24 hours, assesses the report and makes Risk Decision 1 (whether to investigate under this protocol)
- Immediately informs the resource social worker and the child's social worker of the decision whether to investigate
- Ensures protocols with police are followed in cases where the report indicates a child has been physically or sexually abused
- Ensures that any other appropriate protocols are followed
- Ensures the reportable circumstance procedure is followed by the child's social worker
- **If the decision is to investigate:**
  - Assigns an investigating child protection social worker (who is not a resource social worker) and informs the appropriate managers
  - Immediately informs the foster parents (and the specialized residential resource contractor, where applicable), by registered letter, that an investigation has begun and the reasons (without giving the identity of the reporter)
  - In the letter, informs the foster parents:
    - of their right to obtain legal counsel at their own expense
    - of their right to contact the BCFFPA for support
    - how to contact the BCFFPA
  - Determines the need for, and extent of, Risk Decision 5 (assesses the risk of future abuse and neglect) on a case-by-case basis, if the decision has not yet been made to close the home or if the decision is made to continue to use the home
  - Upon completing Risk Decision 5, determines the need for, and extent of, Risk Decision 6 (develops a risk reduction service plan) on a case-by-case basis, if the decision is made to continue to use the home
- **If the decision is to not investigate,** within 7 days advises the foster parents, the child's social worker, and the resource social worker in writing of the report
- In either case, sends a copy of the letter(s) to the manager responsible for the resource and the manager responsible for the child

Child's social worker/ Resource social worker	■ **Where the protection manager has determined that an investigation is not required,** the child's social worker and the resource social worker immediately assess the need to follow the Protocol for Reviewing Quality of Care Concerns in Foster Homes (pages 17-22).

Stage 2: The investigation

The investigation is completed and the foster parents are notified of the outcome within 30 days of the start of an investigation.

Resource social worker (in consultation with supervisor)

- Unless otherwise directed by the protection manager, immediately notifies the foster parents by telephone:
  - that an investigation has begun and the nature of the allegation
  - of the name and telephone number of the BCFFPA support person, and encourages the foster parent to contact the support person
  - offers to contact a BCFFPA support worker. (If the foster parents agree to the offer, the foster parents' consent is to be confirmed in writing by the foster parents on the same day.)
  - advises the foster parents they may select a support person in addition to or instead of the BCFFPA support worker (subject to the support worker/person signing the oath of confidentiality prepared by the Director)
- Ensures that the BCFFPA support person and/or other support person understands and signs an oath of confidentiality prepared by the Director, prior to the support person's involvement in the protocol process
- Notifies the foster parents (and the specialized residential resource contractor, where applicable) in person (with the investigating protection social worker, where possible) of the reasons for and process of the investigation
- In meeting with the foster parents, offers the following assistance:
  - provides a letter from the BCFFPA describing the support available, and encourages the foster parents to contact the BCFFPA
  - informs the foster parents of their right to have a BCFFPA support worker and/or other support person as an observer, for support and consultation during the investigation interviews and subsequent related processes with the foster parents
  - provides a copy of this protocol and checklist for foster parents
  - helps the foster parents to understand the allegation and the responsibility to investigate, and explains the investigation process, referring to the protocol and the foster parents' checklist
  - listens to the foster parents' concerns about the investigation

- Offers emotional support, debriefing, and other support to foster parents throughout the protocol process, including attending meetings and investigative interviews
- If a child is moved from a specialized level 2 or 3 foster home, arranges for the continuance of service payments for up to 45 days unless it is determined earlier than 45 days that the child will not be replaced in the home. (The appropriate manager may extend service payments beyond 45 days in cases of financial hardship or other unusual circumstances).

BCFFPA support worker (or other support person)

- If the involvement of a BCFFPA and/or other support person is requested by the foster parents:

  The main responsibilities of the BCFFPA support worker are to:
  - offer information about the investigation process
  - provide support and consultation as needed, including informing the foster parents of their right to legal counsel (at their own expense)
  - act as observer and provide support and consultation, as requested, when the foster parents participate in investigative interviews and in any related subsequent delegated staff contact with the foster parents
  - maintain confidentiality regarding information about the foster parents, foster parents' family, and/or children in care
  - notify the BCFFPA Executive Director if a review is proceeding to the Office of the Director of Child Protection

  The main responsibilities of other support person(s) (if their involvement is requested by the foster parents) are to:
  - offer support and assistance to the foster parents throughout the investigation
  - maintain confidentiality regarding information about the foster parents, foster parents' family, and/or children in care
  - notify the BCFFPA Executive Director if a review is proceeding to the Office of the Director of Child Protection

Investigating protection social worker (in consultation with supervisor)

- Contacts the child's social worker and the foster home to:
  - give the reasons for and the process of the investigation
  - review the report and receive the child's social worker's input
- Makes Risk Decision 2 (how quickly to investigate), taking into consideration the age, vulnerability, and risk of harm to the child in care. The investigation must begin:
  - **immediately**, if any child in care is at imminent risk
  - within 5 days of receipt of the report, in all other cases
- Carries out the investigation according to the *Practice Standards for Child Protection:*
  - develops an initial plan for how the investigation will proceed
  - sees and interviews the child
    - **immediately**, if the child is in a life-threatening or dangerous situation
    - as soon as possible in all other situations

  - sees and interviews all other children in the household
  - interviews the foster parents and any other relevant parties in person
  - interviews the alleged offender (where police are involved, consults with police before contacting the alleged offender)
  - interviews any other witnesses
  - directly observes the child's living situation
  - reviews all files on each child in care in the home and the foster parents, including each child's comprehensive plan of care
  - obtains information and reports from others involved with the child or foster parents who may have relevant information about the child and home
  - fully reviews and assesses relevant information in past reports with the foster parents and, if requested by the foster parents, includes the BCFFPA support person and/or other support person
  - in cases of medical neglect, contacts the physician or other medical practitioner who has recently treated the child
  - where required, takes the child for a medical examination
  - interviews anyone else who may have relevant information about the child and the foster home
- Makes Risk Decision 3 (assesses the immediate safety of all children residing in the home) as soon as sufficient information is available, in consultation with the child's social worker and the resource social worker, and taking into consideration factors in each child in care's comprehensive plan of care
- If any child's immediate situation is assessed as "unsafe," develops an immediate safety plan for the child
- Notifies the foster parents in person (with the resource social worker, where possible) of:
  - the reasons for and the process of the investigation
  - any immediate steps taken to ensure the safety of all children in the home
- Consults with his or her supervisor to determine the safety and well-being of any children in the home
- At least every 7 days, verbally updates the relevant managers, supervisors, and the BCFFPA support person and/or other support person, if involved
- Every 14 days, updates the foster parents in a personal meeting
- Makes Risk Decision 4 (determines whether abuse or neglect is found in the foster home)
- If abuse or neglect is found in the foster home, and if the decision has not yet been made to close the home or if the decision is made to continue to use the home, makes Risk Decision 5 (assess the risk of future abuse or neglect) as directed by the protection manager
- Makes Risk Decision 6 (develop a risk reduction service plan), identifying any action needed to ensure the safety and well-being of any children in the home, as directed by the protection manager
- Prepares a detailed investigation report and a protocol investigation summary and submits them to the protection manager

Child's social worker	■ Supports the child throughout the investigation process ■ In the case of a change of placement or planning, consults with, prepares, and assists the child and advises the child of his or her rights ■ Subject to consultation with the child in care who is over the age of 12 years (and whose consent is obtained as appropriate), and if the child's parent or designated representative of the child's aboriginal community is currently involved with the child, keep the child's parent and the designated representative of the child's aboriginal community involved in any changes in plans for, or placement of, the child ■ Personally informs the child (with capacity) about the investigation process, the ministry's internal complaint process and how to access the Children's Commission, the Child, Youth and Family Advocate, the Ombudsman, and other relevant support ■ If the child is aboriginal, informs the child (with capacity) about his or her right to have support from the designated representative of his or her aboriginal community ■ If a child is moved from the foster home, continues maintenance payments (includes service payments for level 1 specialized family care homes) for up to 45 days for the child unless it is determined earlier than 45 days that the child will not be replaced in the home. (The appropriate manager may extend payments beyond 45 days in cases of financial hardship or other unusual circumstances.)
Supervisors/ Team leaders	■ Provide day-to-day consultation and direction to involved social workers
Supervisor of the resource social worker	■ Monitors the viability of the foster parents as approved caregivers throughout the process

Stage 3: The investigation decisions

Protection manager	■ Reviews the protocol investigation report, including Risk Decision 4 and, where applicable, Risk Decision 5 and Risk Decision 6, in consultation with the manager responsible for the child and the manager responsible for the resource ■ Provides a copy of the protocol investigation report to the managers responsible for the child and for the resource
Manager responsible for the resource	■ In consultation with the foster parents, the resource social worker, the protection manager, and any other relevant persons, reviews the protocol investigation report, Risk Decisions 5 and 6, if applicable, and the foster family file, and considers what additional supports, services, training or other resources are needed ■ On the basis of this consultation and review, decides about the continued use of the home and notifies the protection manager

Stage 4: Reporting the investigation results

Protection manager	■ Sends a copy of the protocol investigation summary with a covering letter by registered mail to the foster parents (and to the specialized residential resource contractor, where applicable) informing them of: - the protocol investigation findings - the decision regarding any action needed to ensure the safety and well-being of any children in the home and the reasons for the decision - the decision of the manager responsible for the resource about the continued use of the home - the review procedures, including support available from the BCFFPA - other people who will be notified of the investigation outcome (note that the reporter's identity is confidential) ■ Sends a copy of the protocol investigation summary and related decisions to the Office of the Director of Child Protection
Resource social worker & Investigating protection social worker	■ As soon as possible, meet with the foster parents, and the BCFFPA support worker if requested by the foster parents, to: - deliver a copy of the protocol investigation summary and the protection manager's covering letter - discuss the investigation, regardless of the outcome, actions taken, unresolved issues, and what additional supports or services are needed, and, where appropriate, to develop a plan of action for the child's future care in the home - advise the foster parents of the next steps regarding the resource - advise the foster parents of the review process ■ Ensure that all protocol investigation documentation is given to the child's social worker for review and placement on the child's file and that a copy of the protection investigation summary is placed on the resource file and on the file of the subject child and any other child in care in the home
Child's social worker	■ Subject to consultation with the child in care who is over the age of 12 years (and whose consent is obtained as appropriate), and if the child's parent or designated representative of the child's aboriginal community is currently involved with the child, keeps the child's parent and designated representative of the child's aboriginal community informed about the investigation results and involved in any changes in plans for, or placement of, the child ■ Within 7 days of the decision, verbally and in writing informs the child in care (with capacity) of the decision, and meets with the child to discuss any issues, decisions, or changes arising from the investigation, including any of the child's concerns ■ Informs the person who reported the initial concern of the outcome of the investigation

	■ Updates the reportable circumstances report and forwards to the Office of the Director of Child Protection ■ Places a copy of the protocol investigation documentation on the child's file including summary information regarding any subsequent related decisions
Manager responsible for the resource	■ Where applicable, meets with the specialized residential resource contractor to: - deliver a copy of the protocol investigation summary and the protection manager's covering letter - discuss the investigation, regardless of the outcome, any actions taken, any unresolved issues, and what additional supports or service are needed, and, where appropriate, to develop a plan of action for the child's future care in the home - advise the contractor of the next steps regarding the foster home - advise the contractor of the review process available to the foster parents

Stage 5: Review process

Foster parents	■ If not satisfied with the outcome of the investigation, within 7 days of receiving the written protocol investigation summary and covering letter, forward a request, in writing, for a review to the Office of the Director of Child Protection and notify the BCFFPA (if not already involved) if they require assistance during the review
BCFFPA support worker	■ If involved, notifies the BCFFPA Executive Director that a review has been requested and continues to provide support to the foster parents
Office of the Director of Child Protection	■ Within 30 days of receiving a request for a review, completes a review of the investigation, reaches a decision, and notifies: - the foster parents (and where applicable the specialized residential resource contractor) of the decision by registered letter. This decision is final unless a provincial third-party review process approved by the Director and the BCFFPA's Board of Directors is available - the relevant Regional Executive Director of the decision
Regional Executive Director	■ Ensures appropriate parties are informed of the decision

Stage 6: Service quality assurance

Note: Only statistical information is shared with the BCFFPA Regional Council or representative in order to avoid identifying specific children or specific foster families.

Manager responsible for the resource and (if consented to by the foster parents) a representative designated by the BCFFPA regional council

- Within 30 days of any investigation decision, meet to consider what actions are needed to prevent similar incidents with other foster parents

  This review may include involved delegated social workers and the BCFFPA support worker, if involved

  Note:
  1. Only non-identifying information is to be disclosed regarding the child in care.

  2. If persons other than the director's delegates are involved, the foster parents' written consent to share information must be obtained.

- Review risk factors present in the investigation under consideration to see which may apply to other resources in the region; for example:
  - the number and type of previous reports/investigations concerning the home and the outcomes
  - the nature of the report
  - any training or additional support required by foster parents or social workers
  - the appropriateness of the match between the children in the home and the skills and resources of the foster home
  - the years of service of the foster parents
  - the frequency of contact by involved delegated social workers with the foster parents
- Work together to develop recommendations and an implementation plan to reduce the incidence of abuse/neglect of children in care in foster homes in the region
- Ensure copies of the recommendations and implementation plan are sent to the Regional Executive Director, the BCFFPA Regional Council, the Provincial BCFFPA, and the Office of the Director of Child Protection

Regional Executive Director

- Ensures there is a regional system of tracking:
  - the number and types of reports and investigations of abuse or neglect of children in care in foster homes
  - the number of protocol investigations leading to:

    (a) removal of a child in care

    (b) closure of a home
  - the number of homes with more than one protocol investigation in the past year
  - the levels and types of homes involved (restricted, regular, specialized level 1, 2, or 3; sub-contracted foster homes; and other homes to which the protocol applies)

  - the number of children in care about whom protocol investigations occurred more than once in the previous year
  - the number of years of service of the foster parents involved
  - the number of reviews of protocol investigation decisions requested and the outcomes
  - the number of protocol investigations involving homes in which the foster parents or the children in care are aboriginal
  - the incidence of protocol investigations concerning children in care who require specialized assistance
  - the frequency of contact with foster parents by resource social workers and children in care's social workers
  - the number of unplanned placement moves of children in care, regardless of whether they resulted from protocol investigations
- Ensures that, in conjunction with the BCFFPA Regional Council, there is an annual analysis of the use of the protocol, which includes, but is not limited to, such issues as:
  - the implementation of recommendations resulting from the investigations
  - training and support required
  - the appropriate matching of children to the skills and resources of foster homes investigated
  - the identification of any patterns in the use of the protocol which would guide regional action to be taken to **reduce the incidence** of abuse/neglect reports which lead to protocol investigations
- By June 30, prepares a report of the annual regional analysis, including the statistical data listed above, covering the previous fiscal year (April 1 to March 31) and an action plan to reduce the incidence of abuse/neglect reports which lead to protocol investigations
- Ensures that the BCFFPA Regional Council, the Provincial BCFFPA, and the Office of the Director of Child Protection receive copies of the report and action plan

II. Protocol for Reviewing Quality of Care Concerns in Foster Homes

This protocol sets out the procedure for reviewing concerns over the quality of care a child is receiving in a foster home, **where the child's safety is not at issue.**

The expectation of the Ministry for Children and Families is that the care a child receives in a foster home will meet the *Standards for Foster Homes* and conform to the individual child's comprehensive plan of care. Whenever a quality of care concern arises, the involved social workers identify and assess the concern, gather relevant information from files and interviews, develop a plan to address the concern, and meet with the foster parents, and the child, where appropriate, to discuss the plan. A quality of care concern may come from ministry staff, a child in care or his or her advocate, or others familiar with the child.

This protocol is initiated whenever:

- there is any concern about the quality of care a child is receiving in a foster home that is not a concern about the child's need for protection
- the protection manager has determined, after receiving and assessing a report alleging abuse or neglect of a child in care, that an investigation is NOT required
- the Office of the Director of Child Protection requests a quality of care review following a Reportable Circumstance or other concern brought to the Director's attention

Examples of issues or concerns to which this protocol applies include but are not limited to:

- any concern about the home's adherence to the ministry's *Standards for Foster Homes*
- any concern about a child's rights
- the methods used to discipline a child (that have already been determined not to be abuse or neglect)
- any concern related to access to the child in care by friends or members of the child's natural family

Where resources are available, translation services should be obtained to assist participants who have difficulty understanding spoken or written English.

Note that at any time, foster parents may request a review by the Ombudsman of any matter dealt with under this protocol.

Application of the protocol

This protocol applies to foster homes approved by a director designated under Section 91 of the Act where the caregiver resides in the care setting and has no more than one full-time equivalent employee.

Note that this protocol does not apply to sub-contracted foster homes.

Stage 1: Assessment of the quality of care concern

In the course of a quality of care review, if there is any concern that a child has been or is likely to be abused or neglected, the concern must be referred to the protection manager for assessment under the Protocol for Investigating Reports of Abuse or Neglect in Foster Homes.

Either the child's social worker or the resource social worker may have or receive a quality of care concern.

Social worker receiving notice of the concern	■ As soon as possible, informs other involved social workers (the child's social worker or the resource social worker, as appropriate, and relevant supervisors) of the concern
Resource social worker, child's social worker, and supervisor of child's social worker	■ Within 72 hours, jointly assess the concern to decide whether there is a reasonable doubt about the quality of care the child is receiving as determined by: - the standards for foster care - the child's comprehensive plan of care - what is expected of a reasonable parent ■ In the case of a concern referred by the protection manager following a protection report that does not require investigation, jointly review the protection manager's assessment and decision ■ In the case of a quality of care review requested by the Office of the Director of Child Protection, jointly review the initial report
Supervisor of child's social worker	■ Makes the decision whether to initiate a quality of care review (unless the review has been requested by the Office of the Director of Child Protection) ■ Notifies the supervisor of the resource of the decision ■ Ensures that the concern and the decision are recorded on both the child's file and the resource file
Resource social worker	■ As soon as possible, informs the foster parents by telephone or in person: - about the concern and the ministry's decision whether to conduct a review - where a quality of care review will take place: • of their right to ask for support from the BCFFPA or other support person • how to contact the BCFFPA ■ Approaches the quality of care review process in a supportive manner with the foster parents ■ Ensures that the BCFFPA support worker and/or other support person understands and signs an oath of confidentiality prepared by the Director, prior to the support person's involvement in the protocol process
Child's social worker	■ Ensures that any other appropriate protocols are followed (for example, with the child's school or the designated representative of the child's aboriginal community, if involved)

Stage 2: The quality of care review

The quality of care review is completed and the foster parents notified of the outcome within 30 days of the start of a quality of care review.

Resource social worker and child's social worker	■ Gather relevant information about the concern by completing the following steps: - review their respective files on the child and the foster parents, including the child's comprehensive plan of care - meet with the child (with capacity) to hear the child's views of the concern and ensure the child's views are taken into consideration throughout the process - meet with the foster parents and obtain their views and suggestions on how to address the concern - talk to other children in care in the foster home who may have relevant information about the concern ■ Prepare a report of the quality of care review findings and recommended action plan and submit it to involved supervisors
Resource worker	■ Provides a letter from the BCFFPA describing the support available, and encourages the foster parents to contact the BCFFPA
BCFFPA support worker and/or other support person	■ If BCFFPA support worker and/or other support person involvement is requested by the foster parents: - offers information about the quality of care process - provides support and consultation as needed, including informing the foster parents of their right to legal counsel (at their expense) - acts as observer and provides support and consultation, as requested, when the foster parents participate in interviews and in any related subsequent delegated staff contact with the foster parents
Child's social worker	■ Supports and involves the child and advocates for the child's needs and well-being throughout the quality of care review ■ Subject to consultation with the child who is over the age of 12 (and whose consent is obtained as appropriate), and if the child's parent or designated representative of the child's aboriginal community is currently involved with the child, keeps the child's parent and designated representative of the child's aboriginal community involved in any changes in plans for, or placement of, the child ■ Personally informs the child (with capacity) about the quality of care review process, the ministry's internal complaint process, and other services available, including: - the Child, Youth and Family Advocate - the Children's Commission - the Ombudsman's Office ■ If the child is aboriginal, where appropriate, informs the child about their right to have support from the designated representative of their aboriginal community
Supervisors	■ Provide day-to-day consultation and direction to involved social workers

Stage 3: The quality of care review decisions

Involved supervisors and social workers	■ Jointly discuss the report and action plan, taking into consideration: - whether the match between the child's needs and the skills and resources of the foster home is appropriate - whether the quality of care concern affects the continued use of the home and in what way - whether additional supports, services, training or other resources (including consultation with other professionals) are needed ■ On the basis of this review, decide on a final action plan that includes the responsibilities of those involved and a timetable for the plan
Resource social worker/ Child's social worker	■ Place a copy of the quality of care review report and any action plan or decisions on the child's file and the resource file including summary information regarding any subsequent related decisions

Stage 4: Meeting to report the review results

Resource social worker	■ Sets up and coordinates a meeting with the foster parents and the child's social worker to discuss the action plan to address the concern; - foster parents may ask for a BCFFPA support person or other support person already involved to attend the meeting - social workers may ask their supervisors or others involved with the child or the foster home to attend the meeting At the meeting, discusses with the foster parents: - the quality of care review findings and action plan - any unresolved issues or additional supports or service needed - the process available to them if they are not satisfied with the outcome of the quality of care review (see Step 2: Protocol for Resolving Issues, page 25) - the support available to them from the BCFFPA - other people who will be notified of the quality of care review outcome (only when necessary to ensure the safety and well-being of the child)
Child's social worker	■ Within 7 days of this meeting: - meets with the child to discuss any issues, decisions, or changes arising from the quality of care review, including any concerns of the child's

- Subject to consultation with the child in care who is over the age of 12 years (and whose consent is obtained as appropriate), and if the child's parent or designated representative of the child's aboriginal community is currently involved with the child, keeps the child's parent and designated representative of the child's aboriginal community involved in any changes in plans for, or placement of, the child
- Informs the person who raised the concern of the outcome of the quality of care review

Stage 5: Resolving disagreements about the review

Foster parents	■ If not satisfied with the outcome of the quality of care review, within 7 days of receiving the review results, may request a meeting with the manager responsible for the resource
Manager responsible for the resource	■ Immediately follows Step 2 of the Protocol for Resolving Issues (see page 25)

Stage 6: Service quality assurance

Note: Only statistical information is shared with the BCFFPA Regional Council or representative(s) in order to avoid identifying specific children or specific foster families.

Manager responsible for the resource and (if consented to by the foster parents) a representative designated by BCFFPA Regional Council

- Within 30 days of a quality of care review decision, meet to consider what actions are needed to prevent similar concerns from arising about other foster homes in the region.

  The meeting may include involved social workers and a BCFFPA support worker, if one is involved
- Consider which factors in the quality of care review under consideration may apply to other resources in the region; for example:
  - the number and type of previous quality of care concerns regarding the foster parents and the outcomes
  - the nature of the quality of care concern
  - any training or additional support required by foster parents or social workers
  - whether a similar action plan is required in other foster homes
  - the appropriateness of the match between children in care in the region and the skills and resources of foster homes
  - the years of service of the foster parents
  - the frequency of contact of delegated involved social workers with the foster parents

- Work together to develop recommendations and an action plan to reduce the incidence of similar quality of care concerns in the region
- Ensure copies of the recommendations and implementation plan are sent to the Regional Executive Director, the BCFFPA Regional Council, the Provincial BCFFPA, and the Office of the Director of Child Protection

Regional Executive Director

- Ensures there is a regional system of tracking:
  - the number and type of quality of care concerns and reviews
  - the number of foster homes with more than one quality of care review in the past year
  - the levels and types of homes involved (restricted, regular, specialized level 1, 2, or 3; and other homes to which the protocol applies)
  - the number of children in care about whom more than one quality of care review was conducted
  - the number of reviews involving homes in which the foster parents or the children in care are aboriginal
  - the incidence of reviews involving children in care who require specialized assistance
  - the number of years of service of the foster parents involved
  - the number of quality of care reviews that required formal resolution through the Protocol for Resolving Issues
  - the frequency of contact with foster parents by resource social workers and children in care's social workers
- Ensures that, in conjunction with the BCFFPA Regional Council, there is an annual analysis of quality of care reviews, which addresses such issues as:
  - training and support required
  - the success of action plans resulting from quality of care reviews
  - the appropriate matching of children to the skills and resources of foster homes involved in quality of care reviews
  - the identification of any patterns in the use of the protocol which would guide any regional actions to be taken
- By June 30, prepares a report of the annual regional analysis, including the statistical data listed above, covering the previous fiscal year (April 1 to March 31) and regional action plan for reducing the incidence of quality of care concerns leading to reviews
- Ensures that the BCFFPA Regional Council, the Provincial BCFFPA, and the Office of the Director of Child Protection receive copies of the report and action plan

III. Protocol for Resolving Issues Between Foster Parents & Ministry Staff

The purposes of this protocol are to ensure that:

- issues between the Ministry for Children and Families and foster parents are resolved quickly and, wherever possible, locally
- foster parents receive the support or help they need to resolve these issues.

Many issues can be resolved without a formal procedure by maintaining clear, open communication and regular contact between foster parents and delegated staff. This protocol may be used wherever a difference of opinion that affects foster parents requires a formal resolution, and where the child's safety is not at issue.

Examples of issues that may be resolved by the use of this protocol include, but are not limited to:

- a decision to close a foster home
- services and supports provided to the foster parents
- services expected to be provided by the foster parents

Three categories of issues cannot be dealt with by this protocol:

- Where the foster parents disagree with a decision made as the result of an investigation conducted under the Protocol for Investigating Reports of Abuse or Neglect in Foster Homes. In these cases, the foster parents may ask for the decision to be reviewed by the Office of the Director of Child Protection. See Stage 5 on page 14 for the procedure to follow in these cases.
- Where an issue is raised by a child in care. Depending upon the nature of the issue, it may be dealt with under the Protocol for Reviewing Quality of Care Concerns in Foster Homes or the ministry's internal complaint process, or the child may be referred to:
  - the Child, Youth and Family Advocate
  - the Children's Commission
  - the Ombudsman's Office
- Where an issue is raised on behalf of a child in care. Depending upon the nature of the issue, it may be dealt with under the Protocol for Reviewing Quality of Care Concerns in Foster Homes or the ministry's internal complaint process, or the person may contact:
  - the Child, Youth and Family Advocate
  - the Children's Commission
  - the Ombudsman's Office

Note that at any time, foster parents may request a review by the Ombudsman of any matter dealt with under this protocol.

Application of the protocol

This protocol applies to foster homes approved by a director designated under Section 91 of the Act where the caregiver resides in the care setting and has no more than one full-time equivalent employee.

This protocol does not apply to sub-contracted foster homes.

When following this protocol:

If the issue to be resolved is between the foster parents and their current resource social worker, another resource social worker is assigned to provide support to the foster parents for the duration of this protocol.

Where resources are available, translation services should be obtained to assist participants who have difficulty understanding spoken or written English.

Local Resolution Process (recommended But optional)

Step 1: Preliminary local meeting

Social workers and foster parents are expected to make every effort possible to resolve issues and concerns that arise. Before either party proceeds to step 2 of this process (below), a preliminary local meeting may be requested.

Foster parents or delegated staff	■ Either the foster parents or an involved social worker may call a meeting, to be coordinated by the resource social worker; - foster parents may ask for a BCFFPA support person and/or other support person to attend the meeting - social workers may ask their supervisor or others involved with the child or the foster home to attend the meeting
Resource social worker	■ Sets up and convenes a meeting within 10 days of receiving the request ■ Advises the relevant supervisors about the issue and the meeting ■ Within 7 days of the meeting, sends written confirmation of the agreed-upon plan to address the issue to the foster parents and involved social workers
Child's social worker	■ When the issue relates directly to a child in care: - supports the child and advocates for the child's needs, safety, and well-being throughout the process - informs the child about the internal complaints process and any other relevant rights
Resource social worker	■ If no agreement is reached at the preliminary meeting, informs the foster parents of how to proceed to step 2 of the local resolution process

Step 2: Meeting with the manager responsible for the resource

A meeting with the manager responsible for the resource may be requested whenever a preliminary local meeting has failed to produce agreement or where the foster parents are dissatisfied with the outcome of a quality of care review (see page 21). The purpose of this step is to ensure that a manager within the program has assessed and attempted to reach a local resolution of the issue.

Manager responsible for the resource	■ Receives notice from either the foster parents or delegated staff of an issue that requires resolution. The notice identifies the issue(s) and possible resolution ■ Immediately advises the foster parents, resource social worker, and relevant supervisors, as appropriate
Resource social worker	■ Provides the foster parents with information about the availability of BCFFPA support (including a letter from the BCFFPA) and informs the foster parents they can have a support person of their choosing involved in this protocol in addition to, or instead of, a BCFFPA support worker ■ Ensures that the BCFFPA support worker and/or other support person understands and signs an oath of confidentiality prepared by the Director, prior to the support person's involvement in the protocol process ■ Provides support and consultation to the foster parents throughout the process
Manager responsible for the resource	■ Within 10 days, convenes a meeting between the foster parents (with a BCFFPA support worker, if requested by the foster parents), the resource social worker, and others involved with the issue to examine the concerns and make every effort to reach a resolution ■ Within 7 days of the meeting: - sends out the results of the meeting in writing to all relevant parties - advises the foster parents in writing of the name of the designated non-involved manager to contact within 5 days of receipt of this information if they are not satisfied ■ Follows up on any commitments made by delegated staff at the meeting
BCFFPA support worker	■ If requested by the foster parents: - provides support and participates with the foster parents in reaching a resolution with delegated staff - supports the foster parents in following through on any commitments they made at the meeting
Child's social worker	■ When the issue relates directly to a child in care: - where appropriate, notifies the parent apparently entitled to custody - if the child is aboriginal, where appropriate, informs the child about his or her right to have support from the designated representative of the child's aboriginal community

FORMAL RESOLUTION PROCESS

Stage 1: Resolution by a designated non-involved manager

If an issue is unresolved, either party may request the involvement of a non-involved manager. This stage of negotiation is completed within 30 days.

Foster parents	■ Within 5 days of receiving the written results of the meeting with the manager responsible for the resource, may send a written request for the designated non-involved manager to resolve the issue and notify the BCFFPA if they require assistance
Resource social worker*	■ Encourages the foster parents to arrange for representation from the BCFFPA and/or other support person and provides support and consultation to the foster parents ■ Ensures that the BCFFPA support worker and/or other support person understands and signs an oath of confidentiality prepared by the Director, prior to the support person's involvement in the protocol process
Designated non-involved manager	■ Within 7 days of receiving the request for a formal resolution, contacts the foster parents and arranges a meeting. ■ Convenes a meeting of: - the involved manager(s) - the foster parents and any support person they have chosen - other staff or parties who may be helpful in resolving the issue ■ Listens to and reviews the concerns and suggestions of both parties. When an issue has a direct effect on a child in care, his or her views are taken into consideration in any decision ■ In coordinating the formal resolution process, may: - interview the foster parents and any other relevant parties, including children in care - conduct a review of relevant files - interview involved staff and service providers - ask for written submissions from the involved parties - consider any other options which may be helpful or appropriate, including mediation ■ When reaching a resolution of the issue, considers: - the obligation of the director to ensure the safety and well-being of children in care - the best interests of the child - the child's rights under the *Child, Family and Community Service Act* - the reasons for staff's decision or concern about the issue - the reasons for the foster parents' concern about the issue - the views of the child in care about the issue - the availability of resources - any alternative resolution ■ Verbally communicates the decision(s) to the foster parents and other relevant parties

	■ Within 30 days of receiving the written request for a resolution, sends the decision(s) to the foster parents by registered letter
Foster parents	■ Accompanied by a BCFFPA support person (if involved), participate in and present their concerns and possible solutions during the resolution process
BCFFPA	■ Provides support and assistance to the foster parents, if requested

• **If the issue to be resolved is with the foster parents' current resource social worker, another resource social worker is assigned to offer support.**

Stage 2: Review by the Office of the Director

If the issue has still not been resolved, the foster parents may ask for a review of the issue by the Office of the Director of Child Protection and request support from the BCFFPA.

Foster parents	■ Within 7 days of receiving the written results of the resolution process from the designated non-involved manager, may send a written request for a review to the Office of the Director of Child Protection and notify the BCFFPA if they require assistance during the review
BCFFPA	■ If requested by the foster parents, notifies the BCFFPA Executive Director that a further review has been requested and continues to provide support to the foster parents
Office of the Director of Child Protection	■ Within 30 days of receiving the request for a review, carries out a review of the unresolved issue, reaches a decision, and notifies: - the foster parents of the decision in writing by registered letter. This decision is final unless a provincial third-party review process approved by the Director and the BCFFPA's Board of Directors is available - the relevant Regional Executive Director of the decision
Regional Executive Director	■ Ensures appropriate parties are informed of the decision

Stage 3: Service quality assurance

Note: Only statistical information is shared with the BCFFPA Regional Council or representative in order to avoid identifying specific children or specific foster families.

Regional Executive Director	■ Ensures there is a regional system of tracking: - the number and type of issues requiring **formal** resolution under this protocol - the number of homes with more than one issue requiring formal resolution under this protocol in the past year

  - the levels and types of homes involved (restricted, regular, specialized level 1, 2, or 3)
  - the number of years of service of the foster parents involved
  - the number of issues referred under this protocol for review by:
    - the Director of Child Protection
    - the Ombudsman's Office
    - the Children's Commission
    - other review bodies external to the region
- Ensures that, in conjunction with the BCFFPA Regional Council, there is an annual analysis of issues requiring resolution under this protocol, which addresses such issues as:
  - any additional training or support required by foster parents or delegated staff
  - the appropriate matching of children to the skills and resources of foster homes involved
  - the identification of any patterns in the use of the protocol which would guide regional actions to be taken
- By June 30, prepares a report of the annual regional analysis, including the statistical data listed above, covering the previous fiscal year (April 1 to March 31) and an action plan for improving the process of resolving issues between social workers and foster parents
- Ensures that the BCFFPA Regional Council, the Provincial BCFFPA, and the Office of the Director receive copies of the report and action plan

Appendix 1: Sample Letters

SAMPLE LETTERS FOR USE BY MINISTRY STAFF

Protocol for Investigating Reports of Abuse or Neglect of Children in Care in Foster Homes

- **MCF SAMPLE LETTER 1:** From the protection manager informing the foster parents that an investigation has begun and the reasons.
- **MCF SAMPLE LETTER 2:** From the protection manager informing the foster parents that a report has been received that does not require investigation but may require a quality of care review.
- **MCF SAMPLE LETTER 3:** From the child's social worker informing the parent apparently entitled to custody that an investigation has begun.
- **MCF SAMPLE LETTER 4:** From the child's social worker to the child's aboriginal community informing them that an investigation has begun.
- **MCF SAMPLE LETTER 5:** From the child's social worker informing the child with capacity about the investigation
- **MCF SAMPLE LETTER 6:** From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO REMAIN OPEN
- **MCF SAMPLE LETTER 7:** From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO BE CLOSED WITHOUT CAUSE
- **MCF SAMPLE LETTER 8:** From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO BE CLOSED WITH CAUSE
- **MCF SAMPLE LETTER 9:** From the child's social worker informing the child with capacity about the investigation decisions
- **MCF SAMPLE LETTER 10:** From the child's social worker informing the parent apparently entitled to custody about the investigation outcome
- **MCF SAMPLE LETTER 11:** From the child's social worker to the representative of the child's aboriginal band, agency, or community informing them about the investigation outcome

Protocol for Resolving Issues

- **MCF SAMPLE LETTER 12:** From the resource social worker to the foster parents confirming the plan agreed to at a preliminary meeting to resolve an issue
- **MCF SAMPLE LETTER 13:** From the resource manager informing all parties of the results of a meeting to resolve an issue
- **MCF SAMPLE LETTER 14:** From a designated non-involved manager informing the foster parents of the results of the review of an unresolved issue

SAMPLE LETTERS FOR USE BY FOSTER PARENTS

Protocol for Investigating Reports of Abuse or Neglect of Children in Care in Foster Homes

- **FOSTER PARENT SAMPLE LETTER 1:** From the foster parents to the Office of the Director of Child Protection requesting a review

Protocol for Resolving Issues

- **FOSTER PARENT SAMPLE LETTER 2:** From the foster parents to the designated non-involved manager requesting a review of an issue following a meeting with the manager responsible for the resource
- **FOSTER PARENT SAMPLE LETTER 3:** From the foster parents to the Office of the Director of Child Protection requesting a further review of an issue following a review by a designated non-involved manager

SAMPLE LETTER 1: From the protection manager informing the foster parents that an investigation has begun and the reasons.

Date

Foster parents
Address
City
Postal Code

Dear :

On (*date*) my office received a report concerning a child placed in your care. I have looked into the concern and have asked a child protection social worker to investigate. I am sending you this letter so that you know what was reported and to explain what will happen next.

The report we received concerned (*child's name*). I am not entitled to tell you who made the report, but the person's main concern was:

(Give a brief summary of the report of abuse or neglect)

I have asked for an investigation because:

(Give a brief explanation)

The social worker who is conducting the investigation will meet with you in person to inform you about the investigation. Your resource social worker will also be at the meeting to provide support to you. Your resource social worker will explain the process to you and the help available through your foster parent association. At the meeting you will have the chance to give your views of the report and ask any questions you have.

Your resource social worker will act as a support person during the investigation. Your resource social worker will also give you a letter with the name of a person from your foster parent association who can provide support. You may also hire a lawyer to represent you.

At the end of the investigation, the investigating social worker will prepare a summary of the investigation. I will send you a copy of that summary and the ministry's decision about the matter by (*date*).

You will find an easy-to-use guide to the investigation process in the Protocols for Foster Homes kit. The kit also contains a detailed description of the process as well as a checklist that you may find helpful.

I encourage you to discuss any concerns about this process with your resource social worker or a representative of your foster parent association. Thank you for your cooperation in this matter.

Sincerely,

Manager, Child Protection

cc: BCFFPA support person
Investigating protection social worker

SAMPLE LETTER 2: From the protection manager informing the foster parents that a report has been received that does not require investigation but that may require a quality of care review.

Date

Foster parents
Address
City
Postal Code

Dear :

On (*date*), my office received a report concerning a child placed in your care. I have looked into the concern and am satisfied that there is no reason to investigate any further. I am sending you this letter so that you know what was reported and how the ministry and foster parents deal with these situations.

The report we received concerned (*child's name*). I am not entitled to tell you who made the report, but the person's main concern was:

(Give a brief summary of the report)

I have decided that an investigation is not required because:

(Give a brief explanation)

I have discussed the concern with the child's social worker(s) and your resource social worker. They and other ministry staff are now required to assess whether there is any remaining concern about the child's care in your foster home. Your resource social worker will contact you as soon as possible to talk over the report and to let you know whether any further review of the concern is necessary.

If you do not feel you have been treated fairly in this process, you may ask the manager responsible for your foster home (*name and phone number of manager responsible for the resource*) to begin a formal process to resolve the issue under the Protocol for Resolving Issues. You will find both a summary and a detailed description of this process in the Protocols for Foster Homes kit.

I am sending a copy of this letter to the ministry staff involved with your foster home and the child. A copy will also be placed on the child's file and your foster home file.

I encourage you to participate fully in discussing this matter when you meet with your resource social worker and to raise any questions you have.

Sincerely,

Manager, Child Protection

cc: Child's social worker
Resource social worker
Manager responsible for the resource
Manager responsible for the child

SAMPLE LETTER 3: From the child's social worker informing the parent apparently entitled to custody that an investigation has begun.

Note: Restricted to non-CCO situations unless an access order is granted.

Date

Child's parent
Address
City
Postal Code

Dear :

We recently received a report of possible abuse or neglect of your child while in foster care. I am not entitled to tell you who made the report, but the person's main concern was:

(Give a brief description of the report)

A manager for the ministry has looked into the report and has asked a social worker to investigate. The social worker who will conduct the investigation is (*name of social worker*).

At the end of the investigation, I will send you a letter to let you know what decision we have made about the placement of your child in the foster home.

If you have any questions about the report or investigation, please contact me. I will be happy to discuss them with you.

Sincerely,

Child's social worker

cc: Family Services file
Resource social worker
CIC file

SAMPLE LETTER 4: From the child's social worker to the child's aboriginal band, agency or community informing them that a report has been received and an investigation has begun.

Note: Only the designated representative of the child's band, agency or community who has already been involved with the child should receive this information.

Date

Aboriginal band, agency, community
Address
City
Postal Code

Dear :

We recently received a report of possible abuse or neglect of (child's name). This child is a member of *(name of band, agency or community)*. I am sending you this letter so that you know what was reported and how the investigation will proceed.

The report we received indicated that:

(Give a brief description of the report)

The ministry has assigned a child protection social worker to investigate the report. The name of this social worker is *(name of social worker)*.

At the end of the investigation, I will send you a letter to let you know what decision we have made about the placement of the child in the foster home.

If you have any questions about the report or the investigation, please contact me. I will be happy to discuss them with you.

Sincerely,

Child's social worker

cc: Investigating social worker
Child's file

SAMPLE LETTER 5: From the child's social worker informing the child with capacity about the investigation

Date

Child's name
Address
City
Postal Code

Dear :

We recently received a report about the care you are receiving in your foster home. A child protection social worker will meet with you soon to talk about the report. This social worker will also talk to your foster parents and other people who may have information about your foster home.

If you have any questions or worries about what is happening, contact me and I will meet with you to talk them over. If you feel that you would like to have someone (from your band/community, if aboriginal) with you when you talk to the child protection social worker, let me know and I will try to make sure that the person can be there.

Sincerely.

Child's social worker

SAMPLE LETTER 6: From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO REMAIN OPEN

Date

Foster parents
Address
City, Postal Code

Dear :

On (*date*), I informed you that the ministry had started an investigation into a report concerning (*child's name*). The child protection social worker who conducted the investigation was (*name of social worker*). The investigation is now complete.

I have considered the information gathered during the investigation and have consulted with other ministry staff. We have now reached the following decision:

(State the decision regarding any action needed to ensure the safety and well-being of any children in the home)

The reason for my decision is:

(Give reasons)

We have also reached a decision about the future use of your home:

(State the decision regarding future use of the home)

I have included a copy of the investigation summary with this letter. A copy of this letter and the investigation summary will be placed on the child-in-care's file and on your foster home file.

Your resource social worker and the child protection social worker who conducted the investigation will meet with you as soon as possible to discuss the investigation and the decision. At the meeting, you will have the chance to give your views of the investigation and to discuss any unresolved issues or any support you need.

If you feel the investigation was unfair in any way, you can ask for a review by the Office of the Director of Child Protection. You must send your request in writing within 7 days of receiving this letter. Send your letter to:

(Office of the Director of Child Protection and address)

The Office of the Director of Child Protection will review the investigation and inform you of the result of the review within 30 days. Your resource social worker or BCFFPA support person can provide you with more information and support if you decide to ask for a review. You will find an easy-to-use guide that describes the review process in the Foster Care Protocols kit. You can also ask for a review by the Ombudsman at any time.

I encourage you to raise any concerns about the investigation with your resource social worker or BCFFPA representative. Thank you for your cooperation in this matter.

Sincerely,

Manager, Child Protection

SAMPLE LETTER 7: From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO BE CLOSED WITHOUT CAUSE

Date

Foster parents
Address
City, Postal Code

Dear :

On (*date*), I informed you that the ministry had started an investigation into a report concerning (*child's name*). The child protection social worker who conducted the investigation was (*name of social worker*). The investigation is now complete.

I have considered the information gathered during the investigation and have consulted with other ministry staff. I regret to inform you that we will no longer be placing children in your home.

Due to the circumstances of the complaint and the statements made by you and others concerning the allegations, I am not able to conclude with certainty that the allegations that led to the investigation actually occurred as reported. However, the ministry's obligation to children in care is to act solely in their best interests. Given all of the circumstances, I have concluded that the ministry would not be fulfilling its obligation if it continued to place children in your home.

Please accept this letter as notice that your foster home is now considered closed. Your contract with the ministry will terminate on (*date*).

If you feel the investigation was unfair in any way, you can ask for a review by the Office of the Director of Child Protection. You must send your request in writing within 7 days of receiving this letter. Send your letter to:

(Office of the Director of Child Protection and address)

The Office of the Director of Child Protection will review the investigation and inform you of the result of the review within 30 days. Your resource social worker or BCFFPA support person can provide you with more information and support if you decide to ask for a review. You will find an easy-to-use guide that describes the review process in the Foster Care Protocols kit. You can also ask for a review by the Ombudsman at any time.

I encourage you to raise any concerns about the investigation with your resource social worker or BCFFPA representative. Thank you for your cooperation in this matter.

Sincerely,

Manager, Child Protection

SAMPLE LETTER 8: From the protection manager informing the foster parents of the investigation outcome (sent with the protocol investigation summary) WHERE THE HOME IS TO BE CLOSED WITH CAUSE

Date

Foster parents
Address
City, Postal Code

Dear :

On (*date*), I informed you that the ministry had started an investigation into a report concerning (*child's name*). The child protection social worker who conducted the investigation was (*name of social worker*). The investigation is now complete.

I have considered the information gathered during the investigation and have consulted with other ministry staff. We have now reached the following decision:

(State the decision)

The reason for our decision is:

(Give reason or reasons)

I regret to inform you that after carefully examining the investigation findings, we have decided that we will no longer be placing children in your home. Our reason(s) for this decision is/are:

(Give reason or reasons)

Please accept this letter as notice that your foster home is now considered closed. Your contract with the ministry will terminate on (*date*).

I have included a copy of the investigation summary with this letter. A copy of this letter and the investigation summary will be placed on the child-in-care's file and on your foster home file.

Your resource social worker and the child protection social worker who conducted the investigation will meet with you as soon as possible to discuss the investigation and the decision. At the meeting, you will have the chance to give your views of the investigation and to discuss any unresolved issues or any support you need.

If you feel the investigation was unfair in any way, you can ask for a review by the Office of the Director of Child Protection. You must send your request in writing within 7 days of receiving this letter. Send your letter to:

(Office of the Director of Child Protection and address)

The Office of the Director of Child Protection will review the investigation and inform you of the result of the review within 30 days. Your resource social worker or BCFFPA support person can provide you with more information and support if you decide to ask for a review. You will find an easy-to-use guide that describes the review process in the Foster Care Protocols kit. You can also ask for a review by the Ombudsman at any time.

I encourage you to raise any concerns about the investigation with your resource social worker or BCFFPA representative. Thank you for your cooperation in this matter.

Sincerely,

Manager, Child Protection

SAMPLE LETTER 9: From the child's social worker informing the child with capacity about the investigation decisions

Child's name
Address
City
Postal code

Dear :

We have finished our investigation about the care you are receiving in your foster home. We have looked carefully at all of the information and have come to these decisions.

About your placement:

What will happen next:

If you have any worries or questions about the investigation or anything else, contact me and I will meet with you to discuss them.

Sincerely,

Child's social worker

SAMPLE LETTER 10: From the child's social worker informing the parent apparently entitled to custody about the investigation outcome (sent only where the parent was informed at the start of the investigation)

Note: Restricted to non-CCO situations unless an access order is granted.

Child's parent
Address
City
Postal code

Dear :

I wrote to you on (*date*) to inform you that the ministry had started an investigation into a report we received about your child in foster care. We have now completed the investigation.

We have carefully considered all of the information gathered during the investigation and have decided on the following action.

(Describe any actions taken)

(State the decision about the child's placement)

Our reason for this decision is:

Your child is (*doing well/not doing well*) and we have provided the following support:

If there is any change in this decision, you will be notified as soon as possible. If you have any questions or worries about this decision, please contact me to discuss them.

Sincerely,

Child's social worker

SAMPLE LETTER 11: From the child's social worker to the representative of the child's aboriginal band, agency, or community informing them about the investigation outcome

Note: Only the designated representative of the child's band, agency or community who has already been involved with the child should receive this information.

Date

Representative of band, community, agency
Address
City
Postal Code

Dear :

I wrote to you on (*date*) to inform you that an investigation had begun into a report we received about (*child's name*) while in foster care.

The investigation has now been completed. After reviewing the findings of the investigating child protection social worker, we have reached the following decision:

(State decision regarding the continued placement of the child in the foster home)

If there is any change in this decision, you will be notified as soon as possible. If you have any questions or worries about this decision, please contact me to discuss them.

Sincerely,

Child's social worker

SAMPLE LETTER 12: From the resource social worker to the foster parents confirming the plan agreed to at a preliminary meeting to resolve an issue

Date

Foster parents
Address
City
Postal Code

Dear :

Thank you for taking part in the meeting on (*date*). Here is my summary of the plan we agreed to at the meeting.

(Describe any; actions to be taken, by whom, and within what time frames)

If you still have concerns about this matter, you may ask the manager responsible for your foster home to begin a formal process to try to reach a resolution.

(Name and phone number of manager responsible for the resource)

This manager will arrange a meeting where you will have the opportunity to present your understanding of the issue and any concerns you have. If you have any questions about anything in this letter, or if you would like information about getting support from your local foster parent association, please call me.

Sincerely,

Resource social worker

SAMPLE LETTER 13: From the resource manager informing all parties of the results of a meeting to resolve an issue

Date

Name of party
Address
City
Postal Code

Dear :

Thank you for your contribution to the discussion on (*date*). Here is my summary of the concerns presented by you and others at the meeting, and the issues as they stood at the end of the meeting.

(Describe concerns and proposed remedy of each party)

(Describe any resolutions reached; actions to be taken, by whom, and within what time frames)

I have reached the following decisions about the issues that were not resolved at the meeting.

(List issues and decisions)

If you still have concerns about this matter, you can request a further review. Send your request in writing within 7 days of receiving this letter to:

(Name and phone number of designated non-involved manager)

This manager is not involved with the foster home. He/she will arrange a meeting of all the parties involved in this matter and will hear your concerns, go over the facts, and attempt to resolve the issue.

(Letter to foster parents only) I recommend that you contact your local foster parent association (*name and telephone number*) to arrange for support during the review. You will find an easy-to-use guide that describes the process for resolving issues in the Foster Care Protocols kit. If you have questions about how the process works, your resource social worker or BCFFPA representative can help.

Thank you for your efforts to resolve this issue.

Sincerely,

Resource manager

SAMPLE LETTER 14: From a designated non-involved manager informing the foster parents of the results of the review of an unresolved issue

Date

Foster parents
Address
City
Postal Code

Dear :

Thank you for your contribution to the discussion on *(date of review meeting)*. I have carefully reviewed the information presented by you and the other parties during the meeting.

Here is my summary of the concerns presented by you and others at the meeting, and the issues as they stood at the end of the meeting.

(Describe concerns and proposed remedy of each party)

(Describe any resolutions reached; actions to be taken, by whom, and within what time frames)

I also considered the following factors in reaching my decision.

(Describe any other factors considered)

I have reached the following decisions about the issues that were not resolved at the meeting.

(List issues and decisions)

If you are not satisfied with my decision, you can ask for a review of the issue by the Office of the Director of Child Protection. Send your request in writing within 7 days of receiving this letter to (*Office of Director and address*). If you request a review by the Office of the Director, I recommend you contact the BC Federation of Foster Parent Associations (BCFFPA) to arrange for assistance (1-800-663-9999).

I encourage you to discuss any outstanding concerns you have about this issue with your resource social worker or a representative of the BCFFPA. If you have questions about my decision, please contact me directly.

Thank you again for your efforts to resolve this issue.

Sincerely,

Designated non-involved manager

FOSTER PARENT SAMPLE LETTER 1: From the foster parents to the Office of the Director of Child Protection requesting a review (sent within 7 days of receiving the investigation decision)

Date

Office of the Director of Child Protection
Address
City
Postal Code

Dear :

Thank you for your letter and summary of the investigation report. We have a concern about the investigation and would like a review. This is what we feel should be reviewed:

(Give a brief description of any concerns you have about the investigation.)

This is what we hope your review of the investigation will accomplish:

(State what you want the review to accomplish)

We would like to meet with you as soon as possible to discuss this matter. Thank you for your assistance.

Sincerely,

Foster Parents

FOSTER PARENT SAMPLE LETTER 2: From the foster parents to the designated non-involved manager requesting a review of an issue following a meeting with the manager responsible for the resource

Date

Designated non-involved manager
Address
City
Postal Code

Dear :

We have received a letter from the manager responsible for our foster home informing us of the results of a meeting we had with ministry staff to resolve an issue about our foster home. We have some concerns about the way the issue now stands and would like you to conduct a review.

Our concern is:

(Give a summary of your concern)

This is what we hope your review will accomplish:

(State what you would like the review to achieve)

We would like you to arrange a review meeting as soon as possible. Thank you for your assistance in this matter.

Sincerely,

Foster parents

FOSTER PARENT SAMPLE LETTER 3: From the foster parents to the Office of the Director of Child Protection requesting a further review of an issue following a review by a designated non-involved manager

Date

Office of the Director of Child Protection
Address
City
Postal Code

Dear :

We are asking that you review a disagreement that we have with ministry staff over our foster home. This issue has been reviewed by two ministry managers, but we still are not satisfied with the result. The concern that we would like you to review is:

(State the concerns that you would like reviewed)

We hope that your review will:

(State what you hope the review will achieve)

We would like you to review this issue as soon as possible. Thank you for your help in this matter.

Sincerely,

Foster parents

Appendix 2: Detailed Protocol Investigation Report Format

This format is for recording information gathered during protocol investigations. It is recommended that investigating workers use this format to prepare updates and record interviews as they occur in order to facilitate the preparation of the final report.

A. Identifying Information

1. **Family Care Home Identifying Information**
   - Name(s) of caregivers
   - Contracting agency, if applicable
   - Resource file number
   - Level of care/type of resource
   - Office code/name

2. **Nature and Source of Allegation**
   - Date of intake
   - Source of concerns
   - What happened
   - Where did it happen
   - When/how often did it happen
   - Other relevant information from the complaint intake

3. **Alleged Perpetrator of the Abuse**
   - Name and position/relationship to home

4. **Current CIC(s) Identifying Data (complete for each CIC)**
   - Name
   - Birthdate
   - Legal status
   - Date of placement/duration of placement
   - Social worker
   - Team supervisor
   - CS file number

5. **Past CIC(s) Identifying Data (complete for each CIC)**
   - Name
   - Birth date
   - Legal status
   - Social worker
   - Team supervisor
   - Placement dates

B. Protocol Process

- Date investigation commenced
- Report status
  - initial
  - update # 1, 2, ...
  - final draft
  - final
- Anticipated completion date

C. Results of the Initial Investigation

1. **Prior Contacts Before Interview**
   Supervisors
   Social workers
   Managers
   Police (if appropriate)
   Files reviewed
   Review of previous investigations (if applicable)

2. **Interviews (list all interviews in the order in which they occurred)**
   (If an important party is not interviewed, provide an explanation)

   Children in care
   Alleged abuser (if appropriate)
   Witnesses
   Consultation with other professionals (e.g, doctors, police, therapists, social worker)
   Supporting documentation (e.g., police or medical reports)

D. Results of the Investigation

Summary of the findings
Identify any concerns about caregiver functioning

E. Recommendations

If CIC removed, explain why, duration, and barriers to returning, if any
Whether or not home should remain open or be closed
Caregiver concerns and how they are being dealt with (if appropriate)
Additional recommendations (e.g., training, areas for further assessment, supports needed)

Investigating Social Worker
Signature
Name
Date

District Office
Code/name
Supervisor
Phone number

SAMPLE

Appendix 3: Guidelines for Preparing the Protocol Investigation Summary

Copies of the Protocol Investigation Summary sent to anyone other than ministry staff or other authorized persons must be screened to ensure they conform to privacy legislation (FOIPP) and the confidentiality provisions of the CFCSA.

Your Protocol Investigation Summary should include all of the following information. Use these headings to ensure that summaries are consistent:

Date:

Name of Investigating Child Protection Social Worker:

Name(s) of Foster Parent(s)/Caregiver(s):

Name of Resource Social Worker:

Investigation start date:

Investigation completion date:

Child's Information (for each child in care in the foster home and the foster parents' children):

Child's Name:

Age/DOB:

Gender:

Subject of report? Y/N

Child's social worker:

Nature of the report (physical, sexual, or emotional abuse, neglect):

Description of the report (list specific concerns in summary format):

Immediate Safety Assessment:

Safe ☐ **No children are considered to be in immediate danger of serious harm**

Unsafe ☐ **Children considered unsafe without protective intervention**

Immediate Safety Plan:

SAMPLE

Specific concerns about the safety and well-being of the child(ren) in care (none, or list in summary format):

Specific conclusions regarding validity of the initial report:

Actions taken to ensure the safety and well-being of the child(ren) in care:

Recommended actions to ensure the continued safety and well-being of the child(ren) in care:

Information on the following service quality factors:

How many previous reports of abuse/neglect have been received about the foster home?

How many in the past year?

How many previous protocol investigations have been conducted into reports about the foster home?

How many in the past year?

How many previous reports have been received about this child?

What was the outcome of each previous investigation?

Do previous reports or investigations have any consistent "themes"?

What type and level of home does this investigation concern?

How many years of service do the foster parents have?

Is this an aboriginal foster home?

Does the investigation concern an aboriginal child?

Does the child in care require specialized assistance? If yes, of what type?

Is there an appropriate matching of children to the skills and resources of the home? If no, what action has been taken?

Signature of Investigating Child Protection Social Worker
Date:

Signature of Investigating Child Protection Supervisor/Team Leader
Date:

Signature of Protection Manager
Date:

Appendix 4: Guidelines for Preparing the Quality of Care Review Report

Copies of the Quality of Care Review Report sent to anyone other than ministry staff or other authorized persons must be screened to ensure they conform to privacy legislation (FOIPP) and the confidentiality provisions of the CFCSA.

Your Quality of Care Review Report should include all of the following information. Use these headings to ensure that summaries are consistent:

Date:

Name of Resource Social Worker:

Name of Child's Social Worker:

Name(s) of Foster Parent(s):

Quality of care review start date:

Quality of care review completion date:

Child's Name:

Age/DOB:

Gender:

Description of the quality of care concern:

Quality of care review findings (summarize relevant information gathered from interviews, file review, other sources):

Recommended action plan to address the quality of care concern:

Information on the following service quality factors:

How many other quality of care concerns have been received about the foster home?

What was the nature of each concern?

How many have been received in the past year (April 1 to March 31)?

What was the nature of each concern received in the past year?

How many of these concerns led to a quality of care review?

How many quality of care reviews have taken place in the past year (April 1 to March 31)?

How many other quality of care concerns have been received about this child?

How many in the past year (April 1 to March 31)?

What was the outcome of each previous quality of care review?

Do previous quality of care concerns indicate any patterns?

What type and level of home does this quality of care review concern?

How many years of service do the foster parents have?

Is this an aboriginal foster home?

Does the quality of care concern involve an aboriginal child?

Does the child in care require specialized assistance? If yes, of what type?

Is there an appropriate matching of children to the skills and resources of the home? If no, what action has been taken?

Signature of Resource Social Worker
Date:

Signature of Child's Social Worker
Date:

Signature of Supervisor of the Resource Social Worker
Date:

Signature of Supervisor of the Child's Social Worker
Date:

Appendix 5: Sample Oath of Confidentiality

BRITISH COLUMBIA

OATH OF CONFIDENTIALITY

I, _____, do

swear/affirm that:

1. I am aware that as a support person for a foster parent who is subject to a Foster Home Protocol Investigation, I may receive information of a personal nature related to the foster family or to a child in care.

2. I will not disclose any information received in my role as a support person to any other person unless compelled by law to do so.

_____
Signature of support person

Sworn before me

this _____ day of _____

A commissioner for taking affidavits in and for the Province of British Columbia.

_____
Signature

Appendix 6: Sample Consent to Contact a Support Person Form

CONSENT TO CONTACT A SUPPORT PERSON

I, _____, consent to the Director's delegate contacting _____ (name of BCFFPA and/or other support person) and inviting the named person(s) to attend interviews with me related to the Protocols for Foster Homes.

_____	_____
Name of Foster Parent	Name of Foster Parent
_____	_____
Signature	Signature
_____	_____
Address	Address
_____	_____
Date	Date

FOSTER PARENTS' CHECKLIST FOR PROTOCOL INVESTIGATIONS

What happens during a protocol investigation?

1. Your resource social worker informs you of the investigation by telephone

- ❑ Tells you that an investigation has begun and arranges a meeting with you and the investigating protection social worker
- ❑ Tells you how to arrange BCFFPA support
- ❑ Offers to contact a BCFFPA support worker and/or another support person, at your request (which you must confirm in writing on the same day)

2. At your meeting with the investigating protection social worker and your resource social worker, your resource social worker offers support and information

- ❑ Gives you a letter from the BCFFPA describing the help available to you
- ❑ Informs you of your right to have a BCFFPA support person and/or other support person present when you are interviewed
- ❑ Tells you about your option to obtain legal help (at your expense)
- ❑ Gives you a copy of the official protocol for investigations
- ❑ Listens to your concerns
- ❑ Offers assistance and support during the investigation

3. The investigating protection social worker interviews you and keeps you informed during the investigation

- ❑ Meets with you in person to explain why an investigation is being conducted and how the investigation process works
- ❑ Informs you of any immediate steps taken to ensure the safety of any child in your home
- ❑ Interviews you and others about the report
- ❑ Reviews the facts of any past reports with you
- ❑ Updates you in a personal meeting at least every 14 days during the investigation

4. The regional protection manager notifies you by registered letter of the investigation

- ❑ Informs you that an investigation has begun and the reasons
- ❑ Informs you of your right to obtain legal counsel (at your expense) and to support from the BCFFPA

5. Your resource social worker and BCFFPA support person provide information, assistance, and support

- ❑ A BCFFPA support worker and/or other support person attends any interviews (at your request)
- ❑ Your resource social worker offers to provide support during the investigation

6. The manager responsible for your foster home meets with you to discuss the investigation findings

- ❑ Reviews with you the investigation findings and any assistance you may need
- ❑ Informs you about what you can do if you are unsatisfied with the outcome of the investigation

7. <u>WITHIN 30 DAYS</u> of the start of the investigation, the protection manager notifies you by registered mail of the decision

- ❑ Informs you about the placement of the child or children in care in your home
- ❑ Informs you of any decision about the continued use of your home
- ❑ Informs you about the review procedure and how to get help from the BCFFPA

8. Your resource social worker and the investigating protection social worker meet with you

- ❑ Deliver a copy of the investigation findings and the protection manager's letter
- ❑ Discuss the results of the investigation with you
- ❑ Explain how to request a review and who to contact

9. <u>WITHIN 7 DAYS</u> of receiving the decision, you may ask for a review

- ❑ Send a letter to the Office of the Director of Child Protection asking for a further review
- ❑ State your concerns and objectives in your letter
- ❑ The BCFFPA support person, if involved, notifies the BCFFPA Executive Director and provides support

10. <u>WITHIN 30 DAYS</u> of your request for a review, you receive the review decision

- ❑ The Office of the Director of Child Protection notifies you by registered letter of the decision

During a protocol investigation, you have the right:

- ✔ to obtain legal help (at your expense)
- ✔ to receive assistance from the BCFFPA
- ✔ to be kept informed about the investigation
- ✔ to give your information, views, and concerns
- ✔ to ask for a review of any decision
- ✔ to receive maintenance payments during the investigation and any reviews
- ✔ to request a review by the Ombudsman

The actions described in this protocol may not occur, or may be delayed, if they jeopardize a criminal or child protection investigation

children & family development

dealing with difficulties in foster homes

A Guide for Foster Parents

BRITISH COLUMBIA Ministry of Children and Family Development

British Columbia Federation of Foster Parent Associations

Foster Home Protocols

When issues or concerns arise about a child's foster care

As foster parents, you share the ministry's responsibility to protect the safety and well-being of children in care. Carrying out this responsibility in day-to-day life is not always easy. Foster families face a lot of challenges, and sometimes these lead to differences between foster parents and ministry staff.

Most issues can be worked out by talking things over with a social worker. But others cannot. Three special situations require a formal process – called a protocol – that clearly spells out what will happen and when.

The first situation is when the ministry receives a report that a child in care in your home has been abused or neglected. In a case like this, the *Protocol for Investigating Reports of Abuse or Neglect in Foster Homes* is followed.

The second is when someone has a concern about the quality of care a child in your foster home is receiving. In this case, the *Protocol for Reviewing Quality of Care Concerns* is followed.

The third is when you and ministry staff cannot agree on an issue. In this case, the *Protocol for Resolving Issues Between Foster Parents and Ministry Staff* is followed.

This pamphlet tells you what happens in each of these cases. This is only a summary of the three protocols. You can get more detailed information from the booklet *Protocols for Foster Homes*. And, if you still have questions, ask your local ministry staff or foster parent association.

Protocol for Investigating Reports of Abuse or Neglect in Foster Homes

Whenever someone reports a concern about a child, the ministry must look into the report and decide whether an investigation is required. If the ministry concludes that a child may need protection, an investigation must always take place. That doesn't mean the allegation is accepted as true. It just means that the ministry must look into it.

As foster parents, you are entitled to support and guidance throughout the investigation process. Your resource worker will keep you informed, answer your questions, and provide you with information and support. If you choose, you can also have the help of a representative from your local foster parent association. You can also ask for another support person to be involved – perhaps a friend or other foster parent.

You are entitled to be treated with respect, trust, honesty and fairness during the investigation. The investigation protocol is meant to give you every opportunity to be represented, to have your views heard, and to have your concerns about the investigation reviewed.

Protocol for Reviewing Quality of Care Concerns

The ministry can look into the quality of care a child is receiving in your foster home where the child's safety is not in question. This is called a quality of care review.

There are three situations that can lead to a quality of care review. The first is when someone feels that you may not be giving the child the care that is expected in foster homes. The second is when someone has made a report to the ministry but the ministry has decided not to investigate. In these cases, ministry workers will want to make sure with you that there are no problems remaining. The third case is where the Office of the Director of Child Protection asks ministry workers to check that everything is running well in your foster home. This would usually happen if there has been an incident or reportable circumstance involving a child in your care.

In any of these cases, the workers involved with your home will follow the Protocol for Resolving Quality of Care Reviews in Foster Homes. Your resource worker will help you understand the quality of care review and will provide you with any information, support, and assistance you need.

Protocol for Resolving Issues

It may happen that you and ministry staff can't agree on an issue. For situations where this happens, the protocol for resolving issues sets out a formal process for sorting things out.

This protocol can be used to work out any problems between you and the workers involved with your home as long as there is no question about the safety of any child in your home. It might be used, for example, if you had a difference of opinion with a worker over services that you expected to receive or that the ministry expected of you. If your disagreement is with your own resource worker, another resource worker will be assigned to provide support and assistance throughout the process.

If you feel you have been treated unfairly, you can ask the Ombudsman to look into your case at any time.

Protocol for Investigating Reports of Abuse or Neglect in Foster Homes

Assessment *Within 24 hours*

First, the child protection manager for your area will consider the information in the report and decide whether an investigation is required. This will happen within 24 hours of the report.

The manager will send you the decision by registered letter. Even if the manager decides not to investigate, workers for your foster home and for the child will go over the report to see whether there are any other concerns about the child's care that need to be worked out. If this happens, your resource worker will let you know immediately.

Investigation

Within 5 days of the report

If the ministry decides to conduct an investigation, your resource worker will phone you immediately to let you know. Your resource worker will tell you how you can get help from the BCFFPA and will offer to contact them for you. If you decide you would like a BCFFPA support worker to be involved, you will have to provide the worker with a written confirmation of this on the same day.

The ministry will ask a child protection worker to do the investigation. This worker, along with your resource worker, will meet with you as soon as possible to tell you about the report and make sure you understand how the investigation works.

Throughout the investigation your resource worker will give you any support or information you need, and will listen to your concerns.

The investigating worker will start investigating within 5 days of the report. This worker will check to make sure the child is safe in your home and may decide to move the child from your home.

The investigating worker will interview you, as well as the child, and anyone else who may have helpful information. They will gather any other information needed and then submit a report to the protection manager. The worker will meet with you at least every two weeks while the investigation is being carried out.

Decision

The protection manager and other managers involved with your home and the child will decide what happens next. They will decide about the placement of the child and other children in care in your home. The manager responsible for your foster home will talk with you about how any problems in your foster home can be resolved. After considering all the information, this manager will decide about the use of your home in the future.

Notification *Within 30 days of the start of the investigation*

The ministry will send you its decision by letter within 30 days of starting the investigation. Your resource worker and the investigating worker will meet with you to talk over this decision. They will explain to you what will happen next and will tell you what you should do if you feel the decision should be reviewed.

Review *Within 30 days of your request*

If you feel the investigation decision was unfair, you can ask the Office of the Director of Child Protection to review the investigation. You must ask for this review within 7 days of receiving the investigation decision. The Director will review the information and send you a decision within 30 days of your request.

If you feel you have been treated unfairly, you can ask the Ombudsman to look into your case at any time (1-800-567-3247).

Protocol for Reviewing Quality of Care Concerns

Assessment *Within 72 hours*

First, your resource worker and the child's worker will consider the concern and decide whether a quality of care review is needed. They will do this within 72 hours of learning about the concern, and will let you know as soon as possible. Your resource worker will also tell you how you can get help from your foster parent association and will give you any help, support or information you need.

Quality of care review

Your resource worker and the child's worker will meet with you to find out your views of the concern and your suggestions on how to resolve any problems. The workers will also meet with the child. From these meetings and other information they have, they will put together a plan for how to resolve any issues about the child's care in your home.

Decision

The workers involved with your home and with the child will decide on a final plan. This plan will state whether any action is needed, who will carry it out, and when each action will take place.

Meeting to discuss the decision

Within 30 days of the start of the review

Your resource worker and the child's worker will meet with you to let you know the outcome of the quality of care review within 30 days of starting the review. They will discuss the plan with you and talk over any unresolved issues. You can bring a representative from the foster parent association to the meeting or another support person, or both people if you want.

Resolving disagreements

Within 7 days

If you feel the quality of care review was unfair, you can ask for a meeting with the manager responsible for your foster home. You must make your request within 7 days of the meeting to discuss the quality of care review. The manager for your foster home will then follow the third protocol – the Protocol for Resolving Issues, which is described on the next page. You can also ask the Ombudsman to look into your case at any time (1-800-567-3247).

Protocol for Resolving Issues

Local meeting

Either you or a worker can call a meeting to discuss the matter and try to come up with a solution that everyone can agree to. Your resource worker will arrange the meeting, which will take place within 10 days.

The meeting will include you, your resource worker and anyone else involved with the issue. You can ask for a BCFFPA support worker or other support person (or both) to attend the meeting with you. The meeting is meant to give everyone a chance to go over the issue and try to find a workable solution.

If you reach an agreement at the meeting, your resource worker will send you a copy of the plan for resolving the issue, within 7 days of the meeting. If the meeting doesn't end with an agreement, your resource worker will explain what other possibilities are available to resolve the issue.

Meeting with the manager for your foster home

If you are dissatisfied with the way the issue stands after the first meeting, you can ask for a meeting with the ministry manager who is responsible for your foster home. Your resource worker will let you know how to get help from the BCFFPA and will provide you with any information, help or support you need.

This manager will hold a meeting with you, any workers involved, any support persons you choose, and anyone else involved with the issue. The purpose of the meeting is to give everyone the chance to discuss the issue and to try to reach a solution. The manager will send you the results of the meeting within 7 days. The manager will also send you the name of another ministry manager who you can contact if you are unhappy with the way things stand.

Resolution by a non-involved manager

Within 30 days of the request

If you are not satisfied with the results of the meeting with the manager for your foster home, you may contact the ministry manager whose name you were given and ask this person to resolve the issue. This manager will be someone who is not involved with your foster home. You must send a written request for this person to become involved within 5 days of your meeting with the manager for your home. You may arrange for support from the BCFFPA.

Within 7 days of your request, the non-involved manager will contact you to set up a meeting between you and any others involved with the issue. The manager will listen to the concerns and suggestions of everyone at the meeting and will gather any other information needed about the issue. The non-involved manager will let you know by letter what decision has been reached. You will receive this information within 30 days of asking the non-involved manager to become involved.

Review by the Office of the Director of Child Protection

Within 30 days of the request

If the issue has still not been resolved, you may ask the Office of the Director of Child Protection to review the issue. If you need support during the review, contact your local foster parent association.

The Office of the Director of Child Protection will complete a review of the unresolved issue and will notify you of the results in writing within 30 days of your request.

Some Questions & Answers About Investigations

Will I be investigated any time someone contacts the ministry about a child in my home?

The ministry looks carefully at any concern about a child in care. But it doesn't always investigate. Many concerns can be worked out without an investigation. However, if the ministry believes that a child may not be safe, it will always investigate to find out if the concern is real.

What kind of reports get investigated?

If the ministry believes a child has been harmed, or might be harmed, in any way, it will always investigate. This includes any kind of physical, sexual or emotional harm. It also includes any case where a child needs health care or is left alone or isn't getting enough supervision to be safe.

Who can make a report?

Anyone can contact the ministry about a child in care. A report might come from a neighbour, relative, or friend of yours or the child's. A ministry worker can also report a concern about a child in care in your home.

What if the report isn't true?

The ministry will first of all try to find out if the report is true before starting an investigation. During an investigation, you will have the chance to tell your side of the story and to add any information about the report that you think the ministry should know. If the ministry makes a decision that you think is unfair, you can ask the Office of the Director of Child Protection to review the investigation.

Who represents foster parents?

If you want help during the investigation, your local foster parent association can arrange for a support person to help you. The support person can answer your questions, attend any interviews with you, and give you information about the investigation. You can ask another support person to be involved instead of the BCFFPA support person or as well as that person. You can also hire a lawyer to represent you. Your resource worker will also give you support and information and will keep you informed throughout the investigation.

What happens to our maintenance payments if a child is moved?

If the ministry decides to move a child from your foster home while the investigation is going on, you will keep receiving payment for up to 45 days. Your payments will end sooner if the decision not to return the child to your care is made before the 45 days are up.

How long does the whole process take?

The investigation is completed within 30 days from the time it starts until you are notified by letter about the ministry's decision. You then have 7 days to ask for a review of the investigation. This review is also completed within 30 days.